



**Townsend Town Council Meeting**  
**April 5<sup>th</sup>, 2023 @ 7:00 pm**  
**VIA CONFERENCE CALL &**  
**Town Hall**  
**141 Main St, Townsend, DE 19734**

7:00 pm Town Council Meeting

- I. Call to Order: 7 pm
- II. Opening Ceremonies
  - A. Roll Call: Mayor S. Lobdell, Councilwoman S. Rojas, Councilwoman E. Clarke, Councilman J. Mertz, Town Clerk M. Rivera, Town Solicitor N. C. Griffiths, Police Chief R. Longo, Police Sergeant E. McCloskey, Town Engineer E. Van-Otoo, Town Manager A. Tantillo, and Finance Officer J. Helms.  
  
Councilman E. Dugan absent.
  - B. Pledge of Allegiance: All present recited the Pledge of Allegiance.
  - C. Recognition of Visitors:
    1. Kimberly Heeman, Alan Emsley, Unidentified Constituent, NCC D. Carter, Brenda Fitzwater, Brett Miles, Regina Becker, Henry Glanding, Esther Glanding, Emmett Mertz, Marcus Suhr, and Senator K. Hoffner.
  - D. Announcements:
    1. TM Tantillo presented the prizes for the winners of the 2023 Easter Coloring Contest.
- III. Citizens Comments & Participation
  - A. Mr. Glanding reported high grass and weeds on Town property. TM Tantillo confirmed this will be looked into.
  - B. Ms. Glanding thanked the Town for handling the concern for a possible dangerous pool that was reported at the last council meeting.
- IV. Adoption of Agenda.
  - A. Mayor Lobdell advised to remove the action item, "Discussion and possible vote regarding Town of Townsend Board of Elections members, under the Town Managers report."
  - B. TC Rivera advised action item E under agenda minutes for the Town Council Special meeting should reflect the date of March 22<sup>nd</sup>, 2023.
  - C. CW Rojas advised to remove the announcement of the Easter Awards under Community Engagement Committee.
  - D. *CM Mertz made a motion to adopt the agenda as suggested by Council. CW Clarke seconded the motion. Voice vote of all Council: yea's.*
    1. Council adopted the agenda as suggested.
- V. Approval / Rejection of Minutes

Town Meetings will return to both an in person and a virtual format.

Those wishing to attend virtually may dial **1(301)715-8592**. When directed, provide following meeting ID **827- 6421-7575#** and then the following password **361631#** to enter the meeting. If you choose to access the meeting online click the following link: <https://us02web.zoom.us/j/82764217575?pwd=aHI4RDhTZ0xiME1HV0ZOcHRxSHZ3QT09>

Residents will be able to view documents posted to the meeting tab on the Town website at <https://townsend.delaware.gov> or by joining the meeting via computer.

- A. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the February 1<sup>st</sup>, 2023, Town Council Meeting.
1. *CM Mertz made a motion to table the minutes from the February 1<sup>st</sup>, 2023, Town Council Meeting. CW Rojas seconded the motion. Voice vote of Council: all yea's.*
    - a. Minutes from the February 1<sup>st</sup>, 2023, Town Council Meeting tabled. CM Mertz advised there are items that need to be addressed.
- B. **ACTION ITEM:** Approval/ Rejection of Town Council Special Meeting Minutes from the February 15<sup>th</sup>, 2023, Town Council Meeting.
- C. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the March 1<sup>st</sup>, 2023, Town Council Meeting.
- D. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the March 1<sup>st</sup>, 2023, Town Council Meeting Executive Session.
- E. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the March ~~15<sup>th</sup>~~ 22<sup>nd</sup>, 2023, Town Council Special Meeting.
1. *CM Mertz made a motion to approve the Town Council Minutes from the February 15<sup>th</sup>, 2023, Town Council Special Meeting, the Town Council Minutes from the March 1st, 2023, Town Council Meeting, the Town Council Minutes from the March 1st, 2023, Town Council Meeting Executive Session, and the Town Council Minutes from the March 22<sup>nd</sup>, 2023, Town Council Special Meeting. CW Clarke seconded the motion. Voice vote of all Council: all yeas.*
  2. Council approved the Town Council Minutes from the:
    - a. February 15<sup>th</sup>, 2023, Town Council Special Meeting.
    - b. March 1st, 2023, Town Council Meeting.
    - c. March 1st, 2023, Town Council Meeting Executive Session.
    - d. March 22<sup>nd</sup>, 2023, Town Council Special Meeting.

**VI.** Presentation by McKenna Fitzwater regarding a community food pantry.

- A. TM Tantillo introduced McKenna Fitzwater, Sophomore of St. Georges Technical High School.
- B. McKenna Fitzwater presented her PowerPoint regarding a proposed installation of a community food pantry. Ms. Fitzwater explained the proposed pantry is made of sheet metal and plexiglass allowing inside visibility. Ms. Fitzwater seeks approval for a location to install the community food pantry and proposed the following site locations:
1. Town Hall
  2. Townsend Municipal Park
- C. Ms. Fitzwater confirmed the pantry has already been purchased and may be installed right away once a location is approved. Additionally, the pantry is the size of a mini fridge, will hold non-perishable foods, and is weatherproof.
- D. *CM Mertz made a motion to approve the food pantry to be installed in front of Townhall adjacent to Main Street. CW Clarke seconded the motion. Voice vote of Council: all yea's.*
1. Council approved the food pantry to be installed in front of Townhall adjacent to Main Street.

**VII.** Reports:

A. Mayor

1. No reports.

B. Town of Townsend Police Chief's Report

1. Chief Longo advised the animal complaint under his report should have gone under "assist with DSP (Delaware State Police)" and explained this was a criminal complaint.
2. Chief Longo confirmed the Police Department will be working with the State on finalizing the purchase of Police vehicles and advised they will be received soon.

C. Town Solicitor N. Christopher Griffiths

1. TS Griffiths reported he assisted in the Board of Adjustment hearing.
2. TS Griffiths reported he is continuing to work on encroachment issues.
3. TS Griffiths reported he has worked on ordinances and resolutions for the Town.
4. TS Griffiths confirmed work remains steady.

D. Town Engineer Edwin Van-Otoo

1. TE Van-Otoo confirmed the wetlands delineation for Finley Street has been done. TE Van-Otoo advised he is working with engineers to find a buildable area noting the northern section of the site looks feasible for the Public Works Pole Barn. Additionally, is seeking to maximize the space with the possibility of future expansion.
  - a. TE Van-Otoo advised the area where the proposed Pole Barn may be located should not affect the area where the old schoolhouse was.
2. TE Van-Otoo confirmed LED streetlights are in the plans to be installed at the Woods at Hidden Creek; noting, none have been installed at this time. CM Mertz raised a concern for light pollution. TM Tantillo advised the Planning Commission is working on the Light Pollution Ordinance. NCC Carter advised New Castle County has passed an ordinance regarding LED streetlights.
  - a. Mr. Emsley advised old parts of the Town need streetlights. TM Tantillo advised the Town is looking into this.
  - b. Mayor Lobdell advised to report any streetlight outages to the Town Manager or Delmarva Power.

E. Town Manager Antonina Tantillo

1. TM Tantillo confirmed the Public Health Emergency has been extended every 30 days. Additionally, the recent extension is until April 30<sup>th</sup>.
2. TM Tantillo advised the estimated time of arrival for the Solar Speed Sign poles should be by the end of May.
3. TM Tantillo confirmed the Town is working on getting the Public Safety letter that addresses Parking Concerns distributed to residents.
4. TM Tantillo confirmed the Town is working on perfecting the curb painting for fire hydrants.
5. TM Tantillo confirmed approved permits must be displayed in a visible location.

6. TM Tantillo confirmed there was a violation issued regarding a permit.
7. Announcement by Town Clerk Mariaelena Rivera regarding the 2023 Election.
  - a. TC Rivera reported the Board of Elections met on Friday, March 31<sup>st</sup> and concluded that there will not be a 2023 Election, as there are four candidates for four available seats. There were three seats available for a two-year term and one seat for a one-year term.
  - b. TC Rivera confirmed the four candidates are as follows:
    - i. Dr. Joseph J. Bangura: 2-year term selected.
    - ii. Marcus W. Suhr: 2-year term selected.
    - iii. Matthew W. Chapman: 2-year term selected.
    - iv. Joshua L. Mertz: 1-year term selected.
  - c. TC Rivera confirmed the four candidates will be sworn in at the June 7<sup>th</sup>, 2023, Town Council meeting.
  - d. TC Rivera reminded Council there was a Board of Elections member who advised they were unavailable for the day of the election. TC Rivera advised Council there is no longer a need to fill the vacancy for the Board of Elections since the member has advised they wanted to continue serving on the Board of Elections. TC Rivera noted the member was present for all meetings.
- ~~8. **ACTION ITEM:** Discussion and possible vote regarding Town of Townsend Board of Elections members.—~~

F. New Castle County Councilman David Carter

1. NCC Carter reported the Cellular Phone Study has been completed and advised if Council requests, a redacted copy of the report may be provided.
2. NCC Carter advised New Castle County is continuing to work with the State on the Broadband Project.
3. NCC Carter advised he is continuing to work with Interfaith Housing on revitalization of old Town.
4. NCC Carter provided the following updates regarding Wiggins Mill Park:
  - a. Invasive plants have been removed.
  - b. The first planting of trees will be happening next week; goal is to plant in total 15,000.00 trees.
  - c. On April 25<sup>th</sup>, Wiggins Mill Park will be dedicated as a Critical Habitat and the first seedlings will be planted. Additionally, the Town has the option of dedicating the open space to allow for connectivity with Wiggins Mill Park.
5. NCC Carter announced Brewing For A Better Community event will be held at his farm on April 29<sup>th</sup>.

**VIII.** Committee Reports

- A. **Finance Committee:** Chair: Councilman Dugan, Co-Chair: Mayor Lobdell

1. **ACTION ITEM:** Discussion and first reading of Ordinance 2023-003 An Ordinance to Update the Pay Scale of Council
  - a. CM Mertz presented and provided a brief first reading of Ordinance 2023-003 An Ordinance to Update the Pay Scale of Council. CM Mertz explained he has prepared this ordinance since he was unable to find any such regarding pay scale. Additionally, the Mayor is receiving pay in the amount of \$100.00 per month and the rest of the Council is receiving pay in the amount of \$50.00 per month. CM Mertz advised he believes all of Council should be paid equally.
  - b. TM Tantillo advised she has performed research of other Delaware Municipalities regarding pay scale and noted that the pay scale varies or there is no pay for Council members.
  - c. TS Griffiths advised Council may add an effective date for the ordinance to be for the next election cycle.
  - d. TS Griffiths advised historically the Town has paid Council, therefore pay for Council may remain. Additionally, the ordinance may be passed with what is currently being designated to confirm and make it retroactive.
  - e. Council discussed adding an effective date and bonus compensation to the ordinance presented.
  - f. *CM Mertz made a motion to add to section two that the ordinance becomes effective July 1<sup>st</sup>, 2023. CW Rojas seconded the motion. Voice vote of all Council: all yea's.*
    - i. Council added the effective date of July 1<sup>st</sup>, 2023, under section two of the ordinance presented.
  - g. Mayor Lobdell noted the second reading should be held at the next regular Town Council meeting in May.
2. **ACTION ITEM:** Discussion and possible vote of Resolution 2023-004 A Resolution to Revise the Town of Townsend Financial Policy.
  - a. FO Helms noted the Financial Policy has never been adopted by Council although it has been in use since it was created.
  - b. Mayor Lobdell provided a title reading of Resolution 2023-004 A Resolution to Revise the Town of Townsend Financial Policy.
  - c. FO Helms advised an item under capital improvement project, "the Town will seek input from the public in relation to projects", was removed; all other items remain.
  - d. TM Tantillo noted the following additions:
    - i. Item 4d under expenditures
      - a) TM Tantillo explained this is for items where the amount for a designated item will not be expended by the end of the year may be transferred to another budget item designation. FO Helms confirmed this is a descriptive change not a budget change. Additionally, budget changes must go through Council approval.

- b) TM Tantillo reminded Council there is a monthly review of Budget versus Actual reports. Additionally, the Finance Committee reviews payables.
        - c) Council requested to add verbiage stating any changes made are brought to the attention of Town Council.
      - ii. Item 1 under debt policy
      - iii. Item 2 under debt policy
    - e. Council advised instead of removing line item 4 under Capital Improvement Projects it should state the Town may seek input from the public in relation to the establishment of projects and priorities by survey or other outreach activities.
    - f. CM Mertz noted a clerical change is needed for the year on the resolution.
    - g. *CM Mertz made a motion to accept Resolution 2023-004 A Resolution to Revise the Town of Townsend Financial Policy with the changes discussed in this meeting. CW Rojas seconded the motion. Voice vote of Council: CW Clarke – yea, CM Mertz – yea, and CW Rojas – yea.*
      - i. Council approved Resolution 2023-004 A Resolution to Revise the Town of Townsend Financial Policy with the changes discussed in this meeting.
3. **ACTION ITEM:** Discussion and possible vote of Resolution 2023-005 A Resolution to Revise the Town of Townsend Purchasing Policy.
  - a. TM Tantillo provided a reading of Resolution 2023-005 A Resolution to Revise the Town of Townsend Purchasing Policy.
  - b. TM Tantillo explained there were changes made to the following, as prepared by the Financial Officer, Finance Committee, and Town Manager :
    - i. Added the last line of the opening paragraph for the Purchasing Policy.
    - ii. Removed last line of Fixed Asset definition.
    - iii. Section B:
      - a) 2: Removed.
        - i. FO Helms explained there is a timing issue and provided an example regarding why this item was removed.
      - b) 3: Removed requirement to post advertising for purchases in the newspaper.
      - c) 4: Removed requirement for majority of council to be present and recorded for.
      - d) 8: Removed.
    - iv. Section C:
      - a) Changed purchasing amounts to reflect the Town Managers' spending authority.
      - b) 5: Removed.
    - v. Section H: Removed RFP (Request for Proposal) from title. Changed the procurement threshold from \$10,000.00 to \$25,000.00. Added last line of section.

- vi. Section I 1: Changed from Town Council to Town Manager to authorize purchases. Removed last line of this section.
- vii. Section J:
  - a) 1 a: Changed verbiage to require all change orders be brought to Town Council for approval.
    - i. TM Tantillo advised change orders are not frequent. Additionally, this may be re-evaluated at a later time if there are frequent change orders.
  - b) 1 b and 1 c: Removed.
- viii. Section K:
  - a) 1: Removed committee member and changed the purchasing amount to reflect the Town Managers spending authority.
  - b) 2: Removed.
  - c) 3: Removed the word letter.
- ix. Section L: Purchasing amount changed from \$50.01 to \$100.00 and removed signed PO (Purchase Order) requirement.
  - a) FO Helms advised purchases orders are made at the request of the vendor.
  - b) FO Helms confirmed a purchase order is made for every invoice for internal approvals.
  - c) FO Helms provided Council an explanation of the Town's Procurement policy:
    - i. For larger purchases approved by Council an invoice is received, the purchase order is generated, the purchase order is approved by TM Tantillo, and then the purchase order is approved by the Finance Committee.
    - ii. For smaller purchases, such as office supplies, they are ordered typically by credit card. A PO (Purchase Order) is generated upon receipt of the PNC Bank Credit Card Statement, the purchase order is approved by TM Tantillo, and then the purchase order is approved by the Finance Committee.
- x. Section M: Added threshold for purchases over \$10,000.00. Removed requirement for a budget amendment public hearing.
- xi. Section N: Added the word Finance for Finance Committee.
- xii. Section O:
  - a) 2, 3 and 4: Removed.
- xiii. Section P: Added verbiage requiring the winning bidder to hold a current Town of Townsend contractor and/or business license.
- xiv. Section R: Removed and replaced with verbiage for the Town Managers spending authority.
- c. CM Mertz thanked the Finance Committee and FO Helms for working together on preparing the purchasing policy.
- d. Council discussed adding the following changes to the Purchasing Policy:

- i. Under opening paragraph of Purchasing Policy: add a second paragraph providing a diversity statement with the inclusion of utilizing State Contractors.
- ii. Section B 1 becomes a summary paragraph changing the beginning of the sentence to: Upon authorization from Town Council to proceed with purchase....
- iii. Section B 3 becomes Section B 1
  - a) Clerical change needed.
- iv. Section B4 becomes B 2
- v. Section I: Removed the word committee.
- vi. Section K3: Removed the word committee.
- vii. Section M: Removed change adding threshold.
- viii. Section O: Add verbiage of the internal procedure already in place. Replace implementation by the Townsend Town Council with the Town Manager and/or the Financial Officer.
- e. TM Tantillo advised no additional verbiage needed for Section D. Additionally, there is verbiage that protects the Town from having to choose the lowest bidder if they are not in the best interest of the Town. TS Griffiths advised he does not foresee appeals or lawsuits reiterating the verbiage added regarding the Town's best interests.
- f. TM Tantillo explained how the Town contacts vendors and advised for services the Town will acquire a minimum of three quotes. CM Mertz and CW Clarke advised this internal policy should be added to the Purchasing Policy.
- g. *CM Mertz made a motion to table Resolution 2023-005 A Resolution to Revise the Town of Townsend Purchasing Policy until another meeting. CW Clarke seconded the motion. All yea's*
  - i. Resolution tabled for another meeting.

**B. Human Resources Committee:** Chair: Mayor Lobdell, Co-Chair: Councilman Dugan

- 1. None.

**C. Public Works Committee:** Chair: Councilman Dugan, Co-Chair: Councilman Mertz

- 1. None.

**D. Land Use and Development Committee:** Chair: Councilwoman Rojas, Co-Chair: Mayor Lobdell

- 1. None.
- 2. CW Rojas noted the Planning Commission meeting was canceled.

**E. Veterans Committee:** Chair: Councilwoman Clarke, Co-Chair: Councilwoman Rojas

- 1. CW Rojas announced the Veterans Lunch and Learn will be happening April 21<sup>st</sup> at the Immanuel Methodist Church . CW Rojas noted the VA Nutrition Team is only able to provide food for 20 Veterans resulting in the event being limited to only 20 Veterans.
  - a. Senator Hoffner advised she will be attending and has been spreading the notice.

- b. The Veterans Committee advised they will meet for further discussion regarding the event.

**F. Public Safety Committee:** Chair: Councilman Mertz, Co-Chair: Councilwoman Clarke

1. **ACTION ITEM:** Discussion and possible vote of Resolution 2023-002 A Resolution to Revoke and Replace Resolution 2021-014 and Define the Reporting of the Police Chief
  - a. CM Mertz provided a brief reading and made clerical amendments while reading Resolution 2023-002 A Resolution to Amend Resolution 2021-014 and Define the Reporting of the Police Chief.
    - i. CM Mertz advised additional revisions and discussions may be needed before finalization of the resolution.
  - b. Council Discussed the following changes to the resolution:
    - i. Change Council to Town Council anywhere on the resolution.
    - ii. Item 1: Removed. Reflect numerical changes onwards.
    - iii. Item 2: Add line stating, the Town Council will be responsible for the annual review of the Chief of Police.
    - iv. Item 3: Police Department budgeted items only. Revised the spending authority of the Chief of Police to be separate from the Town Manager's spending authority, as approved by the Town Council. Removed parenthetical punctuation.
      - a) TS Griffiths advised a floor motion is sufficient for Town Council approval for the Chief of Police spending authority.
      - b) TS Griffiths advised against using any parenthetical punctuation when writing law.
    - v. Item 4: Remove schedule listed due to safety concerns and to allow for future Police Department growth. Revised to state, The Chief of Police shall communicate to the Town Manager any absence of coverage.
      - a) Chief Longo confirmed this line item currently in practice.
      - b) Chief Longo advised scheduling will be discussed with Council.
    - vi. Item 6: The Chief of Police will report to the Town Council and the Town Manager via after-action briefing.
      - a) Chief Longo recommended a tabletop exercise be performed. Additionally, advised the Town needs to have an emergency procedure plan. CM Mertz and TM Tantillo noted there is a plan in place. Chief Longo noted the Town may be eligible for State funding by attending training.
      - b) Council advised verbiage for first line needs to be revised for the Chief of Police to use their discretion and for the Town Manager to be notified if Code Red needs to be utilized.

- i. Chief Longo advised he will also utilize the County Reverse 911 system if a lock down is needed.
    - vii. Item 8: Added verbiage, in accordance with Town Policies, at the end of the second sentence. Additionally, the Town Manager shall be included in the interviewing process.
    - viii. Item 9: Revised to state, The Chief of Police shall report monthly to the Town Council regarding police activity as permitted by law.
  - c. *CM Mertz made a motion to table Resolution 2023-002 A Resolution to Amend Resolution 2021-014 and Define the Reporting of the Police Chief. CW Rojas seconded the motion. Voice vote of Council: all yea's.*
    - i. Council tabled Resolution 2023-002 A Resolution to Amend Resolution 2021-014 and Define the Reporting of the Police Chief.

**G. Community Engagement Committee:** Chair: Councilwoman Rojas

1. Announcement of Town of Townsend Easter Coloring Contest Winners.
  - a. Announced in opening announcements.
2. CW Rojas advised the Community Engagement Committee is continuing to work on the Town Fair. Additionally, would like to schedule a safety meeting for the Town Fair and requested the Police Departments attendance.
  - a. Chief Longo recommended including the Townsend Fire Company. Additionally, the Town may utilize surrounding Police Departments assistance for events such as these. Chief Longo explained this will not cost the Town any additional since these agreements are made through grant funding.

**H. Code Review Committee:** Chair: Mayor Lobdell, Co-Chair: Councilman Mertz

1. **ACTION ITEM:** Discussion and possible vote regarding Resolution 2023-001 A Resolution to Request to Amend the Town of Townsend Charter.
  - a. Mayor Lobdell noted this has been discussed at previous meetings.
  - b. TM Tantillo noted the changes have been added as discussed in previous meetings.
  - c. TM Tantillo provided a title reading of Resolution 2023-001 A Resolution to Request to Amend the Town of Townsend Charter.
  - d. *CM Mertz made a motion to vote in favor of Resolution 2023-001 A Resolution to Request to Amend the Town of Townsend Charter. CW Clarke seconded the motion. Voice vote of all Council: CW Clarke – yea, CM Mertz – yea, and CW Rojas – yea.*
    - i. Council voted in favor of Resolution 2023-001 A Resolution to Request to Amend the Town of Townsend Charter.
    - ii. TM Tantillo advised that she would proceed with sending this to Representative Spiegelman and Senator Hoffner for approval at the state level.

2. **ACTION ITEM:** Second reading and possible vote regarding Ordinance 2023-002 An Ordinance to Amend Section 2.20 Elections of the Town of Townsend Municipal Code in order to fill vacancies when there are not enough candidates for office.
  - a. TM Tantillo advised Council the Town has not received any public comments.
  - b. CM Mertz noted 5.8.3 should be removed.
  - c. CM Mertz provided a reading of Ordinance 2023-002 An Ordinance to Amend Section 2.20 Elections of the Town of Townsend Municipal Code in order to fill vacancies when there are not enough candidates for office.
  - d. CW Clake advised she is in disagreement with shall remain.
  - e. CM Mertz noted Council has just passed, a request to amend, the Charter which contains the same verbiage within the ordinance. CM Mertz explained the Charter will not take effect until the 2024 Election Cycle.
  - f. *CW Rojas motioned to approve Ordinance 2023-002 An Ordinance to Amend Section 2.20 Elections of the Town of Townsend Municipal Code in order to fill vacancies when there are not enough candidates for office. CW Clarke seconded. Voice vote of all Council: CM Mertz – nay, CW Rojas – nay, and CW Clarke – nay.*
    - i. Council opposed approval of Ordinance 2023-002 An Ordinance to Amend Section 2.20 Elections of the Town of Townsend Municipal Code in order to fill vacancies when there are not enough candidates for office.
    - ii. Ordinance 2023-002 fails.
3. **ACTION ITEM:** Discussion and possible vote regarding Resolution 2023-003 A Resolution to Create a Policy for Communication of Minutes and Agendas.
  - a. *CM Mertz motioned to table Resolution 2023-003 A Resolution to Create a Policy for Communication of Minutes and Agendas due to time. CW Rojas seconded the motion. Voice vote of Council: all yea’s.*
  - b. Council tabled Resolution 2023-003 A Resolution to Create a Policy for Communication of Minutes and Agendas.

I. **National Wildlife and Historic Preservation Committee:** Chair: Councilwoman Clarke, Co-Chair: Councilman Dugan

1. None.

IX. Recess Council Meeting to Convene Executive Session.

A. *CM Mertz motioned to recess Council Meeting to convene Executive Session pursuant to 29 Del. C. §§10004(b)(2) and (4), the Town Council will consider a motion to meet in executive session for a strategy session, which will include legal advice or opinions from an attorney-at-law, with respect to potential litigation, as well as discussions that may have an adverse effect on the bargaining or litigation position of the Town. CW Rojas seconded the motion. Voice vote of Council: all yea’s.*

1. Council recessed meeting at 10:29pm.

**X. Convene Executive Session:** Pursuant to 29 Del. C. §§10004(b)(2) and (4), the Town Council will consider a motion to meet in executive session for a strategy session, which will include legal advice or opinions from an attorney-at-law, with respect to potential litigation, as well as discussions that may have an adverse effect on the bargaining or litigation position of the Town.

A. Executive session convened at approximately 10:40 pm.

**XI. Close Executive Session & Re-convene Council Meeting.**

A. Council meeting reconvened at approximately 11:47 pm.

**XII. ACTION ITEM:** Discussion and possible vote on the acquisition of real property.

A. *CM Mertz made a motion to authorize the Town Manager to move forward with negotiations to acquire the property as discussed in Executive Session for the amounts discussed in Executive Session. CW Rojas seconded the motion. Voice vote of all Council: CW Clarke – yea, CM Mertz – yea, and CW Rojas – yea.*

1. Council authorized TM Tantillo to proceed with acquisition of real property.

**XIII. Adjournment.**

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A. CM Mertz made a motion to adjourn the meeting. CW Clarke seconded the motion. Voice vote of Council: all yea's.

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1. Meeting adjourned at 11:50 pm.

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